

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

JOSEAN CLEMENTE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CIVIL NO. 16-1960 (PAD)

ORDER

Before the court is plaintiff's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1), which the government opposed (Docket No. 5). These motions were referred to U.S. Magistrate Bruce J. McGiverin, who issued a Report and Recommendation (Docket No. 8). To date, no objections have been filed.

After conducting a *de novo* review of the record, the court determines that the U.S. Magistrate Judge's findings in the report are supported by the record and the law. The court hereby ADOPTS in its entirety the U.S. Magistrate Judge's report for the reasons stated therein. Accordingly, plaintiff's motion at Docket No. 1 is DENIED. Judgment shall be entered accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 24th day of October, 2016.

s/Pedro A. Delgado-Hernández
PEDRO A. DELGADO-HERNÁNDEZ
United States District Judge